

S/N: 10/627,554

Docket: 2003P04477US

REMARKS

Upon entry of the amendments, claims 1, 2 – 18, and 20 – 23 will be in the application, with claims 1, 8, 9, 11, 12, 13, 15, 16, 17, 22, and 23 having been amended. Claims 1, 17, 22, and 23 are the independent claims herein. No new matter has been added. Reconsideration and further examination are respectfully requested.

Claim Rejections

Claims 1, 2, 4 – 18, and 20 – 23 are rejected under 35 U.S.C. §103(a) as being anticipated by U.S. Patent No. 7,046,779 ("Hesse") in view of U.S. Patent Publication 2004/0076277 ("Kuusinen"). Reconsideration and withdrawal of the rejection are respectfully requested.

Claims 1, 17, 22, and 23

Amended independent claim 1 relates to a method for indicating a speaker during a conference. The method comprises determining a list of participants in a conference, determining a sample from the conference, determining a first participant from the list that is speaking during the sample, determining a second participant from the list that is speaking during the sample, providing data indicative of the sample, providing data indicative of the first participant and the second participant, displaying a first graphic indication that the first participant is speaking, and displaying a second graphic indication that the second participant is speaking. The first graphic indication further indicates a first level of activity. The second graphic indication further indicates a second level of activity. Moreover, the first level of activity is different than the second level of activity, and the second graphic indication is displayed at a same time as the first graphic indication.

The art of record cannot be seen to disclose or to suggest the above-mentioned features of amended independent claim 1. In particular, the art of record cannot be seen to disclose or to suggest displaying a first graphic indication that a first participant is speaking, and displaying a second graphic indication that a second participant is speaking, where the first graphic indication further indicates a first level of activity,

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where the second graphic indication further indicates a second level of activity, where the first level of activity is different than the second level of activity, and where the second graphic indication is displayed at a same time as the first graphic indication.

Hesse describes a video conference system that includes multiple participant stations and a control station. As conceded by the outstanding Office Action, at page 2, Hesse fails to disclose displaying a graphic indication that a participant is speaking.

Kuusinen, at paragraphs [0053] and [0054], discloses a speaker indicator icon 33 that distinguishes currently-speaking participants from inactive participants. However, nowhere does Kuusinen disclose or suggest that the speaker indicator icon indicates a different level of activity for at least two currently speaking participants.

Therefore, nowhere can the combination of Hesse and Kuusinen, taken in any permissible combination, be seen to disclose or to suggest displaying a first graphic indication that a first participant is speaking, and displaying a second graphic indication that a second participant is speaking where the first graphic indication further indicates a first level of activity, where the second graphic indication further indicates a second level of activity, where the first level of activity is different than the second level of activity, and where the second graphic indication is displayed at a same time as the first graphic indication.

Amended independent claims 17, 22, and 23 relate to a system, a system, and an article of manufacture, respectively, in which a first graphic indication that a first participant is speaking is displayed, and a second graphic indication that a second participant is speaking is displayed where the first graphic indication further indicates a first level of activity, where the second graphic indication further indicates a second level of activity, where the first level of activity is different than the second level of activity, and where the second graphic indication is displayed at a same time as the first graphic indication. In view of the aforementioned deficiencies of Hesse and Kuusinen, amended independent claims 17, 22, and 23 and their related dependent claims are believed to be in condition for allowance.

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CONCLUSION

The outstanding Office Action presents a number of characterizations regarding each of the applied references, some of which are not directly addressed herein because they are not related to the rejections of the independent claims. Applicant does not necessarily agree with the characterizations and reserve the right to further discuss those characterizations.

For at least the reasons given above, it is submitted that the entire application is in condition for allowance and such action is respectfully requested at the Examiner's earliest convenience. Alternatively, if there remains any question regarding the present application or any of the cited references, or if the Examiner has any further suggestions for expediting allowance of the present application, the Examiner is cordially requested to contact the undersigned via telephone at (408) 492-5336.

Respectfully submitted,

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